

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                   )                           4:09CR3031  
                                  )  
v.                             )  
                                  )  
MICHAEL KONING,             )                           MEMORANDUM AND ORDER  
LOWELL BAISDEN,             )  
SUSAN BAISDEN-KONING,     )  
                                  )  
Defendants.                 )

As usual, Magistrate Judge Zwart has thoroughly and correctly analyzed the facts and the law, and, after de novo review, I adopt the judge's finding and recommendations (filing [111](#)).

IT IS ORDERED that:

1. The finding and recommendations (filing [111](#)) are adopted.
2. The defendants' motions to sever (filings [57](#), [88](#) and [91](#)) and defendants' motions (filings [79](#) and [91](#)) to have Baisden tried first are denied.
3. The government's motion to consolidate (filing [71](#)) is denied.
4. The objections (filings [112](#), [122](#), [124](#) and [126](#)) to Judge Zwart's findings and recommendations are denied.
5. This matter is referred to Judge Zwart for further progression.

DATED this 8<sup>th</sup> day of October, 2010.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge